

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
LYNCHBURG DIVISION**

GREGORY DELMUS STATON,

Plaintiff,

v.

JOHN DOE, ET AL.,

Defendants.

CIVIL ACTION NO. 6:15-cv-00034

ORDER

JUDGE NORMAN K. MOON

This matter is before the Court upon Plaintiff's motion for an extension of time to serve defendants not yet served (Dkt. 9), and the Report & Recommendation of United States Magistrate Judge Robert S. Ballou (Dk. 17, hereinafter "Report"). Pursuant to 28 U.S.C. § 636(b)(1)(B), I referred this matter to Judge Ballou for proposed findings of fact and a recommended disposition. On August 19, 2016, Judge Ballou filed a Report recommending that Plaintiff's motion for an extension of time be denied and that Plaintiffs claims against defendants not yet served (John Does 2-10 and Jane Doe) be dismissed without prejudice for failure to serve process within the time provided by Federal Rule of Civil Procedure 4(m). After a review of the record in this case, and no objections having been filed to the Report within fourteen days of its service upon the parties, I adopt the Report in its entirety.

Accordingly:

1. The Report of August 19, 2016, is hereby **ADOPTED** in its entirety;
2. Plaintiff's Motion for an extension of time to serve defendants (Dkt. 9) is hereby **DENIED**;

3. Plaintiffs claims against defendants John Does 2-10 and Jane Doe are hereby
DISMISSED WITHOUT PREJUDICE.

The Clerk of the Court is hereby directed to send a certified copy of this Order to all
counsel of record and to United States Magistrate Judge Robert S. Ballou.

It is so ORDERED.

Entered this 12th day of September, 2016.



NORMAN K. MOON
UNITED STATES DISTRICT JUDGE